

ORIGINAL

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Attorneys for Plaintiff

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA)	Cr. No. 00-00126-006 MLR
)	
Plaintiff,)	PETITION FOR REMISSION OF
)	RESTITUTION BALANCE; EXHIBIT
vs.)	"A"; CERTIFICATE OF SERVICE
)	
)	
RANDE SCOTT WORCESTER,)	
)	
)	
Defendant.)	
)	

PETITION FOR REMISSION OF
RESTITUTION BALANCE

COMES NOW, Plaintiff, UNITED STATES OF AMERICA by
EDWARD H. KUBO, JR., United States Attorney, and Larry Butrick,
Assistant United States Attorney, District of Hawaii, and
petitions the Court pursuant to 18 U.S.C. § 3573 and 18 U.S.C. §
3664(m)(1)(A)(i) (providing that orders of restitution are
subject to the provisions of 18 U.S.C. § 3573), to remit

FILED IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF HAWAII

MAR 01 2006

at 10 o'clock and 25 min. P.M.
SUE BEITIA, CLERK

SCANNED

\$2,616,975.00 of the restitution imposed on Defendant RANDE SCOTT WORCESTER (hereinafter referred to as "Defendant Worcester") at sentencing in the above-captioned matter, for the following reasons:

1. A Judgment in a Criminal Case was filed against Defendant Worcester on July 10, 2002, in which Defendant Worcester was ordered to pay restitution in the amount of \$2,619,340.00,

2. Payment of restitution was a condition of supervised release. His term of supervised release was for three years and expired on December 15, 2005. Throughout his term of supervised release, Defendant Worcester complied with all of the conditions imposed upon him by the sentencing court which included making monthly payments of \$60.00 which he continued to do until November of 2005.

3. As of February 13, 2006, Defendant Worcester made restitution payments totaling \$2,365.00.

4. Defendant Worcester's current restitution balance is \$2,616,975.00.

5. After his sentence was imposed, Defendant Worcester cooperated with the government in the successful prosecution of Montez Ottley. However, due to the fact that his cooperation occurred more than a year following his sentencing, Defendant

Worcester was unable to receive a downward departure motion via Rule 35.

6. The restitution imposed does not reflect the amount of ill gotten gains realized by Defendant Worcester. The restitution imposed is predominately reflective of monies that passed through to the leaders of the underlying criminal conduct and who have been sentenced to repay full restitution.

7. Despite Defendant Worcester's best efforts, there is still a large outstanding restitution balance. Defendant Worcester would like to move on with his life without the crushing burden this debt imposes, which greatly affects his ability to gain financial freedom to permit him to better himself and become a productive member of society.

8. On or about February 8, 2006, Alexander M. Silvert, counsel for Defendant Worcester, conveyed his client's proposal of a \$9,000.00 cash payoff settlement.

9. The United States informed Mr. Thomas E. Hayes, Trustee of this case (hereinafter referred to as "Victim") of the proposed settlement offer.

10. Mr. Hayes "Victim" submitted a letter to the United States Attorney's Office dated February 10, 2006, and accepted Defendant Worcester's proposed settlement offer. See Exhibit "A."

11. The terms of this proposed settlement, which are conditional on the Court's approval of this Petition, are as follows:

a. Defendant Worcester will make a lump sum payment of \$9,000.00 toward his restitution balance in this case within fifteen (15) days of the Court's approval of this Petition.

b. The payment of \$9,000.00 will be made by certified check, payable to the Clerk, U.S. District Court and paid to the Clerk, U.S. District Court.

c. Upon receipt of the certified check in the amount of \$9,000.00, the restitution ordered in this case will be deemed satisfied.

d. Upon receipt of the certified check in the amount of \$9,000.00, the United States of America will file a Satisfaction of Judgment and Release of Notice of Lien with the U.S. District Court and provide four certified copies to Defendant Worcester for recordation with the Bureau of Conveyances, State of Hawaii, and the Los Angeles County Recorder, State of California.

12. The United States requests that the Court approve this Petition. The proposed settlement would result in Victim receiving a substantial cash payment immediately.

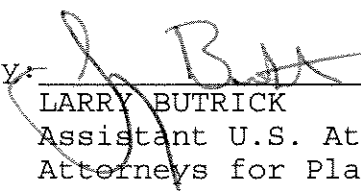
13. Moreover, the undersigned parties concur with the proposed settlement and support this Petition.

14. Further, the undersigned parties jointly agree that no hearing on this Petition is necessary, and request that the Court grant the Petition without a hearing.

15. Title 18, United States Code, Section 3573, permits the Court, upon application of the United States, to remit all or any part of the a fine, including interest, upon proving that reasonable efforts to collect the fine are not likely to be effective. Furthermore, Title 18, United States Code, Section 3664(m)(1)(A)(i), makes the provisions of Section 3573 applicable to orders of restitution. Accordingly, this Court has the authority to grant the relief sought by this Petition.

DATED: March 1, 2006, at Honolulu, Hawaii.

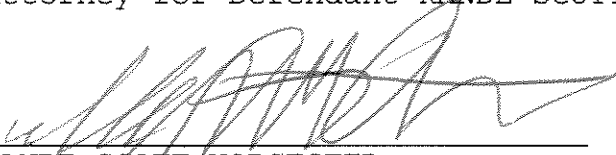
EDWARD H. KUBO, JR.
United States Attorney
District of Hawaii

By: 
LARRY BUTRICK
Assistant U.S. Attorney
Attorneys for Plaintiff

THE UNDERSIGNED PARTIES CONCUR WITH THE PROPOSED SETTLEMENT AND
SUPPORT THIS PETITION:



ALEXANDER SILVERT
First Assistant Federal Defender
Attorney for Defendant RANDE SCOTT WORCESTER



RANDE SCOTT WORCESTER
Defendant

USA vs. RANDE SCOTT WORCESTER
Cr. No. 00-00126-006
PETITION FOR REMISSION OF RESTITUTION BALANCE

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF HAWAII

UNITED STATES OF AMERICA)	Cr. No. 00-00126-006
)	
Plaintiff,)	CERTIFICATE OF SERVICE
)	
vs.)	
)	
RANDE SCOTT WORCESTER,)	
)	
Defendant.)	
_____)	

CERTIFICATE OF SERVICE

I hereby certify that a true and exact copy of the
Petition for Remission of Restitution Balance, and Exhibit "A"
were duly mailed, first class postage prepaid on this date,
addressed to all those listed below:

ALEXANDER M. SILVERT
First Assistant Federal Defender
300 Ala Moana Blvd. Ste. 7-104
Honolulu, Hawaii 96850-5269

Attorney for Defendant RANDE SCOTT WORCESTER

THOMAS E. HAYES
Trustee
99-994 Iwaena Street Ste. C
Aiea, Hawaii 96701

Trustee for the Victims of the Cayman Islands
Investment Program

DATED: March 1, 2006, at Honolulu, Hawaii.

Shari Hsieh

Shari Hsieh